

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

VINCENT C. LEWIS,

Plaintiff,

v.

Case No. 05-C-504

GREG GRAMS,

Defendant.

ORDER

Petitioner Vincent Lewis has filed a motion for refund of his filing fee for his appeal in the above matter. The court of appeals dismissed the case and vacated the certificate of appealability that this court had previously granted. Lewis apparently believe that this entitles him to a refund of his appellate filing fee. He is in error. Having sought to appeal the denial of his petition, the filing fee became due and owing. The fact that his appeal was not successful does not entitle him to a refund of the fee. Accordingly, the motion for a refund is denied.

SO ORDERED this 18th day of August, 2007.

s/ William C. Griesbach
William C. Griesbach
United States District Judge